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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 2 March 2015 from the Permanent Mission of Ghana to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Ghana to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the Chair's letter dated 5 December 2014, has the honour to submit herewith updated information on the implementation of the aforementioned resolution in Ghana (see annex).

Ghana does not object to the publication of the updated information on the Committee's website.

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Please recycle

Annex to the note verbale dated 2 March 2015 from the Permanent Mission of Ghana to the United Nations addressed to the Chair of the Committee

Update of Ghana's report (2004) on the implementation of Security Council resolution 1540 (2004)

The Republic of Ghana, in fulfilment of its national obligations under the Charter of the United Nations and in aspiring for peaceful coexistence, hereby submits an update of its report on the implementation of Security Council resolution 1540 (2004) of 28 April 2004.

We recognize that resolution 1540 (2004) imposes obligations on States to adopt legislation to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, and establish appropriate domestic controls over related materials to prevent their illicit trafficking. While the resolution enhances international cooperation on such efforts, it affirms support for the multilateral treaties with the ultimate aim of eliminating or preventing the proliferation of weapons of mass destruction.

Furthermore, it reiterates that none of the obligations of resolution 1540 (2004) shall conflict with or alter the rights and obligations of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention or the Biological Weapons Convention or alter the responsibilities of the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons.

International conventions/treaties and bills pending

Indeed, Ghana is party to the following international conventions and treaties:

- Treaty on the Non-Proliferation of Nuclear Weapons
- Chemical Weapons Convention
- Biological Weapons Convention
- Comprehensive Nuclear-Test-Ban Treaty
- African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty)

However, these have yet to be passed into national legislation to enhance the enforcement of civil or criminal sanctions against offenders. Currently, two bills, the Chemical Weapons Convention Bill and the Nuclear Regulatory Authority Bill, are pending passage. In the absence of laws for the full implementation of conventions, treaties and protocols to which Ghana is party, other enactments in accordance with its 1992 Constitution, such as the Anti-Money-Laundering Act, 2008 (Act 749), the Anti-Terrorism Act, 2008 (Act 762), and the Criminal Code (Act 29), are being relied on for the prosecution of offenders.

International collaboration and agreements

In its efforts at enhancing cooperation in fulfilment of the tenets of resolution 1540 (2004), Ghana collaborates with international organizations such as:

- International Atomic Energy Agency, in the signing of protocols and comprehensive safeguards agreements under the Treaty on the Non-Proliferation of Nuclear Weapons
- Organization for the Prohibition of Chemical Weapons
- Comprehensive Nuclear-Test-Ban Treaty Organization

Ghana also has bilateral cooperation agreements with several States both at the regional and international levels.

Technical support

7. Ghana needs technical support for the effective implementation of the resolution, including:

- Capacity-building of technical staff to acquire the requisite knowledge and skills
- Public awareness programmes
- Institutional empowerment
- State-of-the-art equipment for prevention, detection, response and recovery
- Technical assistance in the development of a national implementation action plan

The way forward

- The Republic of Ghana affirms its unflinching support for the implementation of resolution 1540 (2004) in the wake of terrorist activities in the West African subregion.
- Awareness and sensitization will be intensified among stakeholders of chemical, biological, radiological or nuclear-related materials, security and intelligence agencies and the general public through workshops and seminars.
- The national legislation framework will be strengthened by fast-tracking the passage into law of the two bills, namely the Nuclear Regulatory Authority Bill and the Chemical Weapons Convention Bill, which are currently pending.